STATE OF WISCONSIN

Assembly Journal

Eightieth Regular Session

TUESDAY, July 20, 1971.

11:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Rabbi Manfred Swarsensky of Beth El Temple, 2702 Arbor Drive, Madison, Wisconsin.

Representative Mohn led the membership in reciting the pledge of allegiance to the flag of the United States.

The roll was taken.

The result follows:

Present—Alberts, Anderson, Atkinson, Azim, Baldus, Barbee, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese, Greider, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Klicka, LaFave, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicula, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker-98.

Absent with leave—Korpela—1.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to Assembly Bill 589 offered by Representative Baldus.

Assembly amendment 1 to assembly substitute amendment 1 to Assembly Bill 663 offered by Representatives Jackamonis and Baldus, by request of the Department of Administration.

Assembly amendment 3 to Assembly Bill 726 offered by Representative Grover.

Assembly substitute amendment 1 to Assembly Bill 729 offered by Representative Mittness.

Assembly amendment 1 to assembly amendment 1 to Assembly Bill 959 offered by Representative Jones.

Assembly amendment 1 to Assembly Bill 1095 offered by Representative Hanson.

Assembly amendment 1 to Assembly Bill 1096 offered by Representative Hanson.

Assembly amendment 1 to Assembly Bill 1093 offered by Representative Hanson.

INTRODUCTION AND REFERENCE OF RESOLUTIONS

Read and referred:

Assembly Resolution 29

Relating to the creation of a special committee on legal services for the poor.

Whereas, there are various legal aid programs for the poor in effect in Wisconsin, including JUDICARE, the legal aid society, legal services for the poor, Voluntary defender program, public Defender Programs, Appointed Counsel for indigent dependents; and

Whereas, many of these programs are financed by federal, state and county monies, resulting in considerable governmental expenditure; and

Whereas, some of these programs are duplicating and overlapping; and

Whereas, considerable criticism has been leveled at certain of these programs by clients, attorneys, news media, judges, administrators and public officials; and

Whereas, both state and county legislative bodies, as well as congress, have studied alternative legal aid programs for civil and criminal litigants in order to find the plan most economical, efficient and fair; and

Whereas, the legal service programs were meant to promote justice by making legal aid available to persons who normally could not obtain such aid for lack of financial resources, utilizing the practicing bar to the fullest extent; and

Whereas, such equality of legal services will underscore one of the founding ideals of this nation—that of equality under law; now, therefore, be it

Resolved by the assembly, that an interim study committee known as the special committee on legal services for the poor be created, consisting of seven members, of whom four shall be chosen from the predominant party and three from the second most dominant party, to be chosen by the speaker; and, be it further

Resolved, that this special committee shall conduct hearings, study present plans, study complaints, criticisms and suggestions about the existing programs, utilizing the legislative council for staff and secretarial assistance; and, be it further

Resolved, that this special committee report its findings and recommended legislation to the 1971 legislature.

By Representatives Sicula, McCormick, Brown, Wilcox, Oestreicher, Rutkowski, Shabaz and T. G. Thompson.

To committee on Judiciary.

Assembly Joint Resolution 91

Directing the legislative council to study and recommend revision of the state coat of arms.

By Representative Grover.

To committee on State Affairs.

INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 1174

Relating to right of certain stockholders of cooperatives to redeem stock.

By Representative Mittness.

To committee on State Affairs.

Assembly Bill 1175

Relating to compensating victims of crimes, and making an appropriation.

By Representatives McEssy, McDougal, Quinn, McCormick and O'Malley.

To committee on Judiciary.

Assembly Bill 1176

Relating to exempting from sales tax all sales by veterans rehabilitation camps.

By Representatives Gaulke, Schricker, Merkel, Slaby, Atkinson, Looby, Mato, Early and Baldus.

To joint Survey committee on Tax Exemptions.

Assembly Bill 1177

Relating to hunting seasons and discharging firearms in Forest, Oneida and Vilas counties and providing a penalty.

By Representative Gaulke; co-sponsored by Senator Krueger.

To committee on Natural Resources.

Assembly Bill 1178

Relating to permitting nonprofit sectarian hospitals to refuse to perform abortions.

By Representatives Kessler and Bultman, by request of Dennis Purtell.

To committee on Judiciary.

Assembly Bill 1179

Relating to exempting certain buildings used for agricultural purposes from the building code.

By Representatives Baldus, Early, Tregoning, Wilcox, Day, Conradt, Vanderperren, O'Malley, T. G. Thompson and Gaulke; co-sponsored by Senator Knowles.

To committee on State Affairs.

Assembly Bill 1180

Prohibiting the department of transportation from requiring the retirement of motor vehicle inspectors classified as protective occupation participants prior to age 60.

By Representatives Jackamonis, Baldus and Rutkowski;

co-sponsored by Senator Murphy.

To joint Survey committee on Retirement Systems.

Assembly Bill 1181

Relating to withdrawal from regional planning commissions.

By Representatives Conradt, Ellis, Schwefel, Mohn, Oberle, Slaby and Hanna; co-sponsored by Senators LaFave, Lotto and Steinhilber.

To committee on State Affairs.

Assembly Bill 1182

Relating to permitting youths to take lawn care employment.

By Representatives Gaulke, Brown, Day, Bradley, Slaby, Schricker, Looby and T. G. Thompson.

To committee on Labor.

Assembly Bill 1183

Relating to increasing state aid to Nicolet vocational school.

By Representatives Gaulke and Slaby; co-sponsored by Senator Krueger.

To committee on Education.

Assembly Bill 1184

Relating to advertising tobacco products on public transportation and billboards and providing a civil penalty.

By Representatives Duren, Otte, Schneider, Boeckmann, Bultman, Hanna and Barbee; co-sponsored by Senator Lipscomb.

To committee on Highways.

Assembly Bill 1185

Relating to disabled veterans' tax deductions.

By Representatives Baldus and Brown, by request of Corliss King.

To joint Survey committee on Tax Exemptions.

Assembly Bill 1186

Relating to half-fare bus transportation for passengers over 65.

By Representative Sanasarian.

To committee on Municipalities.

PETITIONS

Assembly Petition 222

Introduced by Representatives LaFave and Swoboda. To committee on Natural Resources.

Assembly Petition 223

Introduced by Representative Dueholm. To committee on Education.

Assembly Petition 224

Introduced by Representative Luckhardt. To committee on Education.

Assembly Petition 225

Introduced by Representative Looby. To committee on Education.

Assembly Petition 226

Introduced by Representative Looby.
To committee on Education.

Assembly Petition 227

Introduced by Representative Atkinson. To committee on Education.

Assembly Petition 228

Introduced by Representative McEssy. To committee on Education.

Assembly Petition 229

Introduced by Representative McDougal. To committee on Education.

Assembly Petition 230

Introduced by Representative Miller. To joint committee on Finance.

Assembly Petition 231

Introduced by Representative Vanderperren. To committee on Judiciary.

Assembly Petition 232

Introduced by Representative Gaulke. To committee on Highways.

Assembly Petition 233

Introduced by Representative Looby. To committee on Highways.

Assembly Petition 234

Introduced by Representative Kleczka. To committee on Highways.

Assembly Petition 235

Introduced by Representative Earl. To committee on Highways.

Assembly Petition 236

Introduced by Representative Looby. To committee on Highways.

Assembly Petition 237

Introduced by Representative W. A. Johnson. To committee on Judiciary.

Assembly Petition 238

Introduced by Representative W. A. Johnson. To committee on Judiciary.

Assembly Petition 239

Introduced by Representative Sensenbrenner. To committee on Taxation.

Assembly Petition 240

Introduced by Representative Sensenbrenner. To committee on Taxation.

COMMITTEE REPORTS

The committee on Natural Resources reports and recommends:

Assembly Bill 11

Relating to an offer of redemption on containers in which fermented malt beverages or carbonated beverages are sold.

Assembly amendment 1, adoption; Ayes, 11; Noes, 1; assembly amendment 2, adoption; Ayes, 9; Noes, 3 and passage; Ayes, 7; Noes, 5.

Assembly Bill 380

Relating to transferring regulation of dams and bridges from Department of Natural Resources to the Public Service Commission.

Assembly amendment 1, adoption; Ayes, 12; Noes, 0 and passage; Ayes, 10; Noes, 2.

Assembly Bill 454

Relating to use of snowmobile registrations fees returned to counties.

Passage; Ayes, 10; Noes, 2.

Assembly Bill 650

Relating to flood plain ordinances.
Without recommendation (Assembly Rule 30)

Assembly Bill 655

Relating to operation of watercraft in disturbing waterfowl and providing a penalty.

Assembly substitute amendment 1, adoption; Ayes, 12; Noes, 0 and passage; Ayes, 11; Noes, 1.

Assembly Bill 656

Relating to control of noncommercial plant life constituting a fire hazard, highway vision obstruction or water hazard and providing a penalty.

Assembly amendment 1, adoption; Ayes, 11; Noes, 1 and indefinite postponement; Ayes, 8; Noes, 4.

LEWIS T. MITTNESS, Chairman.

The committee on Highways reports and recommends:

Assembly Joint Resolution 56

Memorializing the Congress of the United States to use the same level of funding for freeways, "expressways I", and "expressways II" that is now provided for the interstate system and permit these funds to be used not only for improving and possible relocation of existing roadbeds but to add additional impetus to mass transit.

Adoption; Ayes, 9; Noes, 2.

Assembly Bill 943

Relating to operation of slow moving vehicles. Passage; Ayes. 9; Noes. 2.

Assembly Bill 980

Relating to county designation of controlled-access high-ways.

Passage; Ayes, 9; Noes, 2.

JOSEPH E. JONES, Chairman.

The joint committee on Finance reports and recommends:

Assembly Bill 787

To appropriate \$2,283.48 from the general fund for payment of a claim made by Marjorie R. Sylvester, as executrix of the estate of Selmer A. Sylvester, deceased, against the state.

Emergency statement recommended; Ayes, 14; Noes, 0 and passage; Ayes, 14; Noes, 0.

GEORGE MOLINARO, Chairman.

The committee on Taxation reports:

Assembly Bill 542

Relating to stating property tax credits on tax bills. Indefinite postponement; Aye, 11; Noes, 0.

Assembly Bill 697

Relating to a uniform parcel numbering system. Indefinite postponement; Ayes, 11; Noes, 0.

Assembly Bill 770

Relating to local tax settlements to county treasurers. Indefinite postponement; Ayes, 11; Noes, 0.

Assembly Bill 1118

Relating to security for payment of motor vehicle and special fuel taxes.

Passage; Ayes, 7; Noes, 2.

HARVEY L. DUEHOLM, Chairman.

The committee on Education reports and recommends:

Assembly Bill 811

Relating to school district payment of loans made from state trust funds.

Assembly substitute amendment 1, adoption; Ayes, 11; Noes, 2 and passage; Ayes, 11; Noes, 2.

Assembly Bill 861

Relating to donating university of Wisconsin extension center land and facilities to the board of regents.

Assembly amendment 1, adoption; Ayes, 12; Noes, 1; assembly amendment 2, adoption; Ayes, 12; Noes, 1 and passage; Ayes, 11; Noes, 2.

Assembly Bill 937

Relating to the transportation of school children residing in cities.

Passage; Ayes, 7; Noes, 6.

Assembly Bill 938

Relating to counting shared-time pupils for state school aid purposes and making an appropriation.

Indefinite postponement; Ayes, 7; Noes, 6.

Assembly Bill 999

Relating to publication of annual meeting minutes. Passage: Ayes. 10: Noes. 3.

Assembly Bill 1044

Relating to certified teacher lists, disbursement of school funds and payment of school claims in 1st class cities.

Passage; Ayes, 13; Noes, 0.

Assembly Bill 1060

Permitting 16- to 18-year-olds to be excused from fulltime school attendance to participate in school-work training programs.

Passage; Ayes, 11; Noes, 2.

Assembly Bill 1066

Relaing to permitting husbands to receive university of Wisconsin tuition exemptions.

Passage; Ayes, 13; Noes, 0.

Assembly Bill 1121

Relating to procedural requirements for renewal or non-renewal of school superintendents' contracts.

Passage; Ayes, 10; Noes, 3.

Assembly Bill 1126

Changing the name of the council of the blind in the department of public instruction to be the council on the education of the blind.

Passage; Ayes, 13; Noes, 0.

MANNY S. BROWN, Chairman.

The committee on Enrolled Bills reports:

Assembly Bill 112 and Assembly Bill 208.

Correctly enrolled.

LLOYD A. BARBEE, Chairman.

The committee on Commerce and Consumer Affairs reports and recommends:

Assembly Bill 370

Relating to requiring dating of perishable food products. Adoption of assembly substitute amendment 1; Ayes, 6; Noes, 4 and without recommendation as amended; Ayes, 5: Noes, 5.

Assembly Bill 692

Relating to cash discounts for noncredit sales. Indefinite postponement; Ayes, 7; Noes, 4.

Assembly Bill 897

Relating to requiring gas stations to conspicuously post prices on signs.

Adoption of assembly amendment 1; Ayes, 9; Noes, 2 and passage as amended by assembly amendment 1; Ayes, 8; Noes, 3.

Assembly Bill 948

Relating to warehousemen's liens.

Passage; Ayes, 11; Noes, 0.

Assembly Bill 1087

Relating to regulation of collection agency practices.

Passage; Ayes, 11; Noes, 0.

Assembly Bill 1089

Relating to private and class actions on consumer transactions.

Passage; Ayes, 8; Noes, 3.

Assembly Bill 1110

Relating to repealing the "Fair Trade Act". Passage; Ayes, 8; Noes, 2; Not Voting, 1.

HAROUT O. SANASARIAN, Chairman.

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Motions under Joint Rule 26:

A joint certificate of Commendation by Representatives Lewison and Giese; co-sponsored by Senators Knutson and Bidwell for the Tri State Breeders on their 30th Anniversary.

A joint certificate of Commendation by Representatives Quinn, Kafka and Vanderperren; co-sponsored by Senator Lotto for Wilfred Baye on his retirement.

A joint certificate of Congratulations by Representatives Giese and Duren; co-sponsored by Senator Bidwell for Pace Merrill on being named All-around Cowboy at the 1971 Wisconsin High School Rodeo.

A joint certificate of Condolence by Representatives Giese and Wahner; co-sponsored by Senator Bidwell for the August Derleth Family on the occasion of his death.

A joint certificate of Condolence by Representative Sanasarian; co-sponsored by Senator Parys for the Family and Congregation of Rev. Eugene V. Ledvorowski on the occasion of his death.

Passed and asks concurrence in:

Senate Bill 195, Senate Bill 335, Senate Bill 348, Senate Bill 355.

Senate Bill 394, Senate Bill 401, Senate Bill 409, Senate Bill 489 and Senate Bill 501.

Adopted and asks concurrence in:

Report of committee of Conference on Assembly Bill 101.

ACTION ON THE SENATE MESSAGE

Senate Bill 195

Relating to public information relating to applicants and recipients of aid to families with dependent children and other public assistance grants.

By Senators Martin, Whittow, Hollander, Soik and Swan; co-sponsored by Representatives LaFave, Schricker, Lynn, Stalbaum, Jackson, Pabst and Merkel, by request of Task Force on Welfare Payments.

To calendar.

Senate Bill 335

Relating to practical nursing.

By Senator Heinzen.

To committee on Health and Social Services.

Senate Bill 348

Relating to placement of youthful offenders in certain institutions and creating a juvenile review board.

By committee on Judiciary, by request of Judicial Council. To committee on Judiciary.

Senate Bill 355

Relating to the licensing and regulation of nursing homes, providing injuctive relief against and penalities for violations of state nursing home regulations.

By committee on Health and Social Services.

To calendar.

Senate Bill 394

Relating to licensing of funeral directors and embalmers and reciprocal agreements with other states pertaining to funeral directors and embalmers.

By Senators Keppler and Swan; co-sponsored by Representatives Wilcox and Jackson.

To committee on Judiciary.

Senate Bill 401

Relating to remedial legislation suggested by the department of Health and Social Services.

By Senator Keppler; co-sponsored by Representatives Wilcox and Jackson.

To calendar.

Senate Bill 409

Relating to a statute of limitations for certain intergovernmental claims for providing social services.

By committee on Health and Social Services.

To committee on Health and Social Services.

Senate Bill 489

Relating to the purchase of care and services by and between county public welfare agencies.

By committee on Health and Social Services.

To committee on Health and Social Services.

Senate Bill 501

Relating to the construction of a bridge and highway improvements in Menominee county, and making appropriations.

By Senators LaFave, Lorge, McKenna, Thompson and Chilsen; co-sponsored by Representatives Froehlich, Grover and Rogers.

To calendar.

Assembly Bill 101

Relating to the content and publication time of the Wisconsin Blue Book.

To calendar.

LEAVE OF ABSENCE

Representative Anderson asked unanimous consent for a leave of absence for today's session for Representative Korpela. Granted.

Representative Anderson asked unanimous consent that the assembly stand recessed for 15 minutes. Granted.

The assembly stood recessed.

11:45 A.M.

RECESS

12:22 P.M.

The assembly reconvened.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 101 be withdrawn from the calendar of July 22 and be taken up at this time. Granted.

Assembly Bill 101

Relating to the content and publication time of the Wisconsin Blue Book.

REPORT OF COMMITTEE OF CONFERENCE ON 1971 ASSEMBLY BILL 101

The members of the committee of Conference on 1971 Assembly Bill 101 report and recommend:

- 1. That the senate recede from its position on senate amendment 1;
- 2. That the senate adopt senate amendment 2 submitted with this report; and
 - 3. That both Houses concur in the bill as so amended.

Senator Soik Senator Dorman Senator Keppler Representative Sanasarian Representative Mittness Representative Quackenbush

The question was: Shall the report of the committee of Conference on Assembly Bill 101 be concurred in?

The roll was taken.

The vote follows:

Ayes—Alberts, Atkinson, Baldus, Barbee, Berger, Bolle, Bradley, Brown, Conta, Czerwinski, Day, Dorff, Duren, Earl, Early, Everson, Ferrall, Gaulke, Giese, Groshek, Grover, Hanna, Hephner, Jackamonis, Jackson, Johnson G. K., Jones, Kafka, Kessler, Kleczka, LaFave, Lewison, McDougal, McEssy, Mato, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Robertson, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schricker, Schwefel, Sicula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Vanderperren, Wahner and Mr. Speaker—66.

Noes—Anderson, Azim, Boeckmann, Bultman, Byers, Conradt, Dueholm, Ellis, Froehlich, Greider, Guiles, Hanson, Helgeson, Johnson W. A., Klicka, Looby, Luckhardt, Lynn, McCormick, Pabst, Quackenbush, Schowalter, Schroeder, Sensenbrenner, Shabaz, Tregoning, Wackett, Wilcox and Willkom—29.

Absent or not voting—Korpela, Quinn, Stalbaum and Wilger—4.

Motion carried.

Representative Merkel asked unanimous consent to be recorded as voting "No". Granted,

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 101 be immediately messaged to the senate. Granted.

Representative Oestreicher asked unanimous consent to be recorded as voting as follows:

Rejection of amendment 1 to Assembly Joint Resolution 90—"Aye"; Adoption of substitute amendment 1 to Assembly Joint Resolution 90—"Aye"; Rejection of Assembly Joint Resolution 90—"No"; Adoption of Assembly Joint Resolution 90—"Aye"; Suspension of rules to message Assembly Joint Resolution 90—"Aye"; Withdraw Senate Bill

225-"No"; Withdraw Assembly Joint Resolution 14-"No": Engrossment of Assembly Bill 27-"Ave": Indefinite postponement of Assembly Bill 230-"No": Lay Assembly Bill 568 on table—"No": Reconsideration of Assembly Bill 568—"No": Indefinite postponement of Assembly Bill 568 —"No"; Passage of Assembly Bill 568—"Aye"; Message Assembly Bill 568 to senate—"Aye"; Indefinite postponement of Assembly Bill 378-"No"; Engrossment of Assembly Bill 378—"Aye": Rejection of substitute amendment 1 to Assembly Bill 379-"No"; Indefinite postponement of Assembly Bill 379-"No"; Passage of Assembly Bill 379-"Aye"; Rejection of amendment 2 to Assembly Bill 475— "Aye": Indefinite postponement of Assembly Bill 475-"No": Suspension of rules for third reading of Assembly Bill 475—"Aye": Passage of Assembly Bill 475—"Aye" Lay Assembly Bill 572 on table—"No"; Passage of Assembly Bill 572—"Ave": Concurrence in Senate Joint Resolution 77 -"Ave": Concurrence in Senate Joint Resolution 78-"Ave". Granted.

Representative Willkom asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Mato. Granted.

Representative Froehlich asked unanimous consent that the assembly adjourn in honor of the 40th Wedding Anniversary of Representative Wackett. Granted.

Representative Tregoning moved reconsideration of the vote by which Assembly Joint Resolution 90 was adopted. Entered.

Representative Sensenbrenner moved reconsideration of the vote by which assembly substitute amendment 1 to Assembly Joint Resolution 90 was adopted. Entered.

Representative Quackenbush asked unanimous consent that the assembly adjourn in honor of the birthday of Representative McDougal, Granted.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to Assembly Bill 576 offered by Representative Schneider.

Assembly amendment 1 to Assembly Bill 707 offered by Representative Atkinson.

Assembly amendment 2 to assembly substitute amendment 1 to Assembly Bill 707 offered by Representative Atkinson.

Assembly amendment 1 to Assembly Bill 1084 offered by Representative Atkinson.

Assembly amendment 2 to Assembly Bill 1084 offered by Representative Atkinson.

CHIEF CLERK'S CORRECTIONS

as provided by Legislative Reference Bureau

Assembly Bill 412

In line 15, substitute "146.055" for "146.005".

Assembly Bill 953

On page 2, line 1, substitute "reasonable" for "reaonsable".

VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Mrs. Norman Sussman, wife of the late Senator Norman Sussman, guest of Speaker Huber.

Mr. and Mrs. Gerald Kusilek and family from Baldwin, Wisconsin, guests of Representative Mohn.

Representative Anderson moved that the assembly stand adjourned until 9:30 A. M. Friday, July 23.

The question was adjournment? Motion carried.

The assembly stood adjourned.

12:30 P.M.